

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAHLEEM TINDLE, et al.,
Plaintiffs,
v.
CITY OF DALY CITY, et al.,
Defendants.

Case No. 13-cv-02449-HSG (DMR)

**ORDER REQUESTING
SUPPLEMENTAL INFORMATION RE:
DISCOVERY LETTERS AND
RESETTING HEARING**

Re: Dkt. Nos. 151, 160

On May 19, 2016, Plaintiff Yolanda Banks-Reed, no longer represented by counsel,¹ filed a unilateral discovery letter challenging Defendants' designation of material as "Attorney's Eyes Only" ("AEO") under the protective order and requesting that the court compel production of all AEO designated material directly to the pro se Plaintiffs. [Docket No. 151.] The court ordered Defendants to file a response identifying the AEO designated material and explaining the basis for withholding the materials from the Plaintiffs. [Docket No. 155 at 5.]

In response, Defendants filed a letter explaining that "plaintiffs are not attorneys and are not officers of the court subject to the same scrutiny and regulations." Defs.' Resp. [Docket No. 160] at 2. However, Defendants remained vague about their concerns and did not tether them to the actual content of the AEO designated documents. Further, Defendants attempted to re-assert that certain privileges and protections apply to the AEO designated material, even though the court has already ruled on this issue. Sept. 15, 2015 Order [Docket No. 104]; Defs.' AEO Log [Docket

¹ Plaintiffs have already been represented by two firms, both of which sought and were granted the right to withdraw. Plaintiffs were initially represented by the Law Offices of John L. Burris. [Docket No. 1.] That firm moved to withdraw as counsel, and the court granted the motion in June 2014. [Docket Nos. 33 & 43.] The court subsequently referred plaintiffs to the Federal Pro Bono Project and Stephen Akerley of the law firm of Dechert LLP was appointed as pro bono counsel for Plaintiffs in December 2014. [Docket Nos. 67 & 73.] In January 2016, Plaintiffs' counsel made a motion to withdraw, which the court granted in February 2016. [Docket Nos. 127 & 136].

No. 160-1]; Aug. 13, 2015 Discovery Letter [Docket No. 98]; Defs.' Privilege Log [Docket No. 98-7 & 98-8].

Therefore, **by June 24, 2016**, the Defendants shall file a letter, of no more than three pages, enumerating their specific concerns regarding the disclosure of the AEO designated documents to the pro se Plaintiffs. They shall not incorporate by reference arguments made in any other documents.

Plaintiffs may file two-page response to Defendants' letter **by July 1, 2016**.

The hearing previously noticed for June 30, 2016 is **continued to July 7, 2016 at 11:00 a.m.** at the U.S. District Court, 1301 Clay Street, Oakland, California 94612. For courtroom number and floor information, please check the Court's on-line calendar at <http://www.cand.uscourts.gov> (click "Calendars – Judges' Weekly Calendars" link, then select Judge Ryu's calendar).

IT IS SO ORDERED.

Dated: June 17, 2016



Donna M. Ryu
United States Magistrate Judge